

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

VICKY CLOSE,

Plaintiff,

V.

PENNEY OPCO LLC et al.,

Defendant.

CASE NO. 3:24-cv-05756-DGE

**ORDER ON STIPULATED  
MOTION RE: BRIEFING  
SCHEDULE**

On November 21, 2024, the Parties filed a joint motion to extend the briefing schedule.

(Dkt. No. 11). “A schedule may be modified only for good cause and with the judge’s consent.” Fed. R. Civ. P. 16(b)(4); *see also* LCR 16(b)(6). The Parties state that “[t]he enlargement of the briefing schedule is requested in an effort by the parties to coordinate and stagger briefing in this civil action with the briefing in two other civil actions pending in different federal districts involving the same plaintiffs’ counsel (but different plaintiffs), the same Defendant and Defendant’s counsel, and similar allegations under the laws of other states.” (*Id.* at 2.) “In

1 addition, Plaintiff Close and JCPenney request additional briefing time in light of the anticipated  
2 complexity of issues to be raised in JCPenney's motion and the upcoming holidays." (*Id.*)

3 Upon consideration of the motion, and for good cause shown,

4 **IT IS ORDERED** that:

5 1. The deadline of Defendant Penney OpCo LLC (JCPenney) to file an Answer or a  
6 motion in response to the Complaint (Dkt. 1) is extended from Friday, December 20, 2024, to  
7 Friday, January 17, 2025.

8 2. In the event that JCPenney files a motion in response to the Complaint, the  
9 deadline for Plaintiff Vicky Close to file and serve an opposition (or a notice of non-opposition)  
to the motion is extended to Tuesday, March 18, 2025.

10 3. The deadline for JCPenney to file and serve a reply in support of a motion in  
11 response to the Complaint is extended to 21 calendar days after Plaintiff Close files and serves  
12 her opposition.

13 4. The deadlines set forth in the Court's Order Regarding Initial Disclosures, Joint  
14 Status Report, Discovery, Depositions and Early Settlement (Dkt. 10) are vacated and will be  
15 reset.

16 The Clerk of the Court is directed to calendar these events.

17 Dated this 26th day of November, 2024.

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David G. Estudillo  
United States District Judge